1 2 3 4 5 UNITED STATES DISTRICT COURT 6 WESTERN DISTRICT OF WASHINGTON 7 AT SEATTLE 8 RANJIT SINGH DHESI, a.k.a. GURMEET SINGH, ) 9 Case No. C11-246-TSZ-BAT Petitioner, 10 **REPORT AND** v. RECOMMENDATION 11 BRYON WILCOX, Acting Field Director of Immigration and Customs Enforcement, et al., 12 Respondents. 13 14 On February 14, 2011, petitioner Ranjit Singh Dhesi, proceeding through counsel, filed a 15 Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, challenging his detention by 16 the United States Immigration and Customs Enforcement ("ICE"). Dkt. 1. On May 18, 2011, 17 however, petitioner filed a status report, which indicates that he was released from immigration 18 custody on May 13, 2011, and is no longer detained by ICE. Dkt. 16. Petitioner asserts that this 19 matter has become moot and may be dismissed. Id. 20 For a federal court to have jurisdiction, "an actual controversy must exist at all stages of 21 the litigation." Biodiversity Legal Foundation v. Badgley, 309 F.3d 1166, 1173 (9th Cir. 2002). 22 "When a controversy no longer exists, the case is moot." *Id.* Because petitioner is no longer 23 detained by ICE, the Court finds that petitioner's habeas petition is moot and should be **REPORT AND RECOMMENDATION - 1** 

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1	dismissed without prejudice and without award of costs to either party. See, e.g., Cooney v.
2	Edwards, 971 F.2d 345, 346 (9th Cir. 1992)(holding that the District Court properly dismissed
3	plaintiff's claims that had become either moot or unripe). A proposed Order accompanies this
4	Report and Recommendation.
5	Any objections to this Recommendation must be filed and served upon all parties no later
6	than June 6, 2011. If no objections are filed, the matter will be ready for the Court's
7	consideration on that date. If objections are filed, any response is due within 14 days after being
8	served with the objections. A party filing an objection must note the matter for the Court's
9	consideration 14 days from the date the objection is filed and served. The matter will then be
10	ready for the Court's consideration on the date the response is due. Objections and responses
11	shall not exceed twelve pages. The failure to timely object may affect your right to appeal.
12	DATED this 23rd day of May, 2011.
13	P67
14	BRIAN A. TSUCHIDA United States Magistrate Judge
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